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Civic Republicanism, Liberty, and Police: The Roots of Modern English Policing

Abstract: Modern English policing arose from crime, laws, and demands for social order, but this perspective further introduces matters of philosophy that ties political liberty to political economy as being less recognized but equally powerful contributors. Shown here is how civic republican political economy (1600–1750) policing lost favor to laissez-faire utilitarian preferences (1750–1829) and helped produce more civic democratic policing. Through this perspective, it shows that Sir Robert Peel's 1829 police were really centuries in the making.

Keywords: police, historical institutional, laissez-faire, utilitarian, mercantilism, economy, politics, policy

The beginnings of modern English policing are commonly attributed to Home Secretary Sir Robert Peel's successful lobbying efforts toward getting the modestly titled "An Act for improving Police in and near the Metropolis" parliamentary passage in 1829 and into practice. What came to be shortened to "The London Metropolitan Police Act," such legislation offered a new more centralized, bureaucratic, around-the-clock police patrol service that became the blueprints for the rest of the English-speaking world to use for their own creations. From a historical public policy standpoint, this was considered a sudden change and a critical juncture. Centuries of a gradually constructed patchworks of ecclesiastical authorities and the local magistracy, supposedly

working like a team but clearly known to be inefficient and ineffective, were quickly dumped for Peel's larger, more-centralized, and state-financed alternative in less than a decade. Although the use of better policing techniques and structures were a large part of the story often told, adding to this are powerful philosophies and ideas of political economy and liberties that are further recognized here.

THE EARLY PUBLIC POLICY LANDSCAPE OF ENGLISH POLICING

The largest public policy purpose and found to be typical within constitutional governing was to create civic policing arrangements that were politically acceptable and would not infringe on individual freedoms and liberties more than necessary. From 1285 until 1829, the objective of publicly supplied police in England and Wales was to best offer them as liberty producers rather than reducers. Except when firm stances were needed, royalty and ministries preferred to leave things in the hands of the locals to maintain and they did. But, by about the mid-eighteenth century, policing began to modernize further in Metropolitan London, becoming a more publicly financed organization that included vetted, salaried staff. Although such changes appear rather sudden or punctuated, if one considers Whig history interpretations, they were not. Instead of Peel's police suddenly coming along, they were done so gradually and largely on the backs of other earlier police going back much earlier. What became a newer version of preventive police leading to over 3,000 beat patrol officers and became known as Scotland Yard and The Met, this powerful form of state has a more philosophical transition that deserves further exposure.

Legitimizing the Police Word and Practice

In considering the history of things, it needs to be clarified at the outset that the English always did want police of sorts, but they did not want something called the police until the older patchwork offerings became too defective and obsolete. Form and function were major sticking points. When seen together, liberties and police were not culturally an acceptable combination and were met with heavy resistance and derision. Londoners felt that they were a continental and especially a French sort of thing they wanted no part of.[1] Publicly they were largely not called police until approaching the nineteenth century, especially when the name of police constable began to replace the parish constable and "establishment" or "office" was replaced by the word

"department" in 1829. Being unwelcome by many, these new police patrol constables were referred to as "bobbies," thus being called by Peel's first name as being his and not theirs. Unlike the centuries of tradition of police in which it was an exercise of the people directly, many felt Peel was changing things too quickly.

Prior English justice and policing functionaries overall had little firm dedication to modernizing. For centuries, individual conformity to the law was the largest policing element. It was the individual mind that opted for crime or not, and when the former was chosen, and prosecution and punishment occurred, a harsh criminal code for all sorts of personal and property crimes, popularly referred to "the bloody code" was applied. But, as with human unpredictability, deterrence failed more than was hoped, and as will be shown, England relied on loosely assembled civic functionaries to provide safety in public. Furthermore, a public prosecutor did not arrive until 1879, so that was one less critical part of modern policing that did not exist. Individual victims were the prosecutors if they were willing to put forth their own resources and time to apprehend, investigate, and try their offender if needed. Adding to this, restitution for wrongs became the preferred way to settle things and not just civilly but criminally if allowed.

Unlike nonconstitutional monarchies on the continent that took hold of policing for its own security and purposes, the English sought to make police activity more of a people's self-governing exercise.[2] Gradual formalization of policing began through both the church and, hesitantly, the crown and its ministries. An early method, the Statute of Winchester, 1285 (13 Edw. I st.2) was introduced and was one of England's first attempts to formally establish state-mandated and a local responsibility for policing.[3] It called for every jurisdiction (e.g., province, county, city, parish) in the kingdom to create a night watch, to be filled with men of a certain age, to be armed with at least a pointed stick, and to "watch and ward" for invaders, and participate in the "hue and cry" to pursue felons.[4] It was a mandatory, unpaid, and rotational function. But lessor known is that it required prosecutions, and if they were not performed to satisfaction, the watchman, its team, or the entire community could be fined or punished by the king. Watchmen came to be supplied by the parish rosters, and activity was to be overseen by an established constable. By taking power away from the king's increasingly found to be corrupt sheriffs, the localized constable became the prototype police officer to be joined by the justice of the peace (e.g., magistrate). However, not to be emphasized as national authorities, these two agents had local jurisdiction, especially when the law was not needed. But when it was, they were Crown backed and

supported by the county's Lord Lieutenant. Policing was the responsibility of these functionaries, but they still held other duties like enforcing weights and measures and administering poor laws to name a few. Like the Winchester-era watchman, constables too were assigned, unpaid, and part of a rotation. They were layman who increasingly came from the trades or other forms of commons-level labor and learned on the job. Being a justice of the peace came with property requirements and good community standing, but no legal background was needed; they too were part-time contributors and had office hours to carry out their functions. Over time, this customary position was considered one of prestige, especially in the country, but it became something to avoid in the growing metropolitan areas as justice and policing became increasingly ridiculed for its deficient performance and being very corrupt.

But there were reciprocity problems at the higher levels as well. English policing was much like many social policy efforts going into the nineteenth century in that it was dealt with in rather ad hoc fashion that proposed piecemeal solutions. The Parliamentary Committee on the Police of the Metropolis of the eighteenth and nineteenth centuries convened very infrequently and usually only after some incident that gained a lot of public and newspaper/pamphlet attention. Adjustments were sometimes made to calm things down and get back to normal. But what was normal? According to readings of the committee over time, normalcy involved recognizing the problems of the day, gaining public and even expert feedback from a sitting head police magistrate or specialized body who lamented the poor policing arrangements. By concurring, parliament recognized structural problems but still saw police as too much of a liberty-infringement risk. Found to be typical in constitutional governing arrangements, the tensions between police and society—especially liberal—is always apparent and a contest of sorts. The *1822 Report from the Select Committee on the Police of the Metropolis* concluded with the following: "It is difficult to reconcile an effective system of police, which that perfect freedom of action and exemption from interference, which are the great blessings and privileges of society in this country; and your Committee think the forfeiture or curtailment of such advantages would be too great a sacrifice for improvements of police, or facilities in detection of crime, however desirable in themselves if abstractly considered."[5]

This committee feedback statement is a notable observation about things because it was some of the last recorded governing commentary made about resisting a more modern police arrangement, and it serves as a basis to further explore and define the police and liberties relationship the English struggled with for centuries. The committee statement above has strong civic republican

qualities, where on one hand, it emphasized that political liberties of statehood were blessings and privileges needing safeguarding, but on the other hand, it rejected improved bureaucratic policing structures that Sir Robert Peel, the newly appointed secretary of state, who put together the committee, really supported. Nevertheless, he would stomach antimodernization sentiments and go on to get his police bill passed five years later, but he did so mainly by using more modern methods of science involving statistics to support his law and police arguments; he did not use civic republicanism because it was an outdated philosophy that was not compatible with the urbanization of London, its commercial and industrial growths, and what people simply wanted going into the 1830s. By using Isiah Berlin's much later twentieth-century "Two Concepts of Liberty" definitions to accompany this 1822 passage, the positive and negative liberties are considered similar in language and used to further highlight how premodern civic republicanism (e.g., 1600–1750) and its policing orientations trended toward mercantilist political economy and its policing forms and teamed up.[6] However, both came upon laissez-faire political economy and the utilitarian philosophies (e.g., 1750–1829) that overtook it. This defeat resulted in structural police changes and newer liberties outlooks that helped further convert the republican parish constable into a more democratic law enforcer. Earlier civic republicanism opens things up.

CIVIC REPUBLICANISM: COMMUNITY MORE THAN CITIZEN AND CITIZEN MORE THAN MAN[7]

Broadly speaking, civic republicanism saw the human like Aristotle did in that they were considered, by nature, political animals.[8] As the individual and composition of the family, societies, and groups became more collective to live better and safer, it was necessary to construct institutions or simply rules to live by that defined the political environment. Civic republicanism is best known to be a renaissance-era outlook that was really a retrospective view on things. It was wary of the future and modernity because of valuing the individual at the expense of the community to the point of destroying the state. Importantly for some, and awkward for others, it looked back at antiquity for answers about going forward. English civic republican philosophy was a reemphasis of classical Greco-Roman views about the need for societies to protect and preserve civic life, all while individuals sought to advance and improve themselves.[9] If they did not, and chose to become too selfish and indulgent, then mass social decay would result, leading to the state's downfall in which a despot could arise to restore order and erase all the freedoms and

liberties gained over time. To counter selfishness, mob rule, and greed, the practice of virtue and being prudent and protective of what was already gained became its counterweights. It was government by the people and for the people that took shape, and Cicero, Machiavelli, and down the line, others like Jefferson borrowed from it as a foundational principle for successful republican governance and state administrative design.

Population Control

A basic policy objective of civic republicanism naturally involved social supervision of sorts that not only dealt directly with law breakers but also could survey the population to make sure things were kept orderly in the name of safety and security, or what became better known in time as surveillance and intelligence. However, civic republican policing did not give equal due to every individual. Freedoms "to be" and "freedom from" or interference depended more on one's class standing and what the ruling community tolerated. Traveling from antiquity Sparta and Rome, civic republicanism made its way north in the same way. Presented here, Berlin's uses of liberties are directly associated with population-control policies involving political economy and the seeking of compatible individual and collective lifestyles.

It is proposed that civic republican mercantilist political economy constituted a paternal sort of control that produced social interferences, or not, by regulating and criminally policing the positive liberties of metropolitan London's individual subjects: some were policed differently than others and on purpose. But later, laissez-faire went more the opposite by becoming negatively liberal through less-regulatory policing of morals and shifting toward more criminally defined matters: individuals were held accountable for their criminal actions more so (Matrix 1).

Matrix 1. Liberties of Conduct, Lifestyle, and Police

Political Economy	Positive Liberty Police Style	Negative Liberty Police Style
Civic Republican-Mercantilism (1600–1750)	Regulatory–Legal Conduct Focused	Paternal Supervision of Collective Lifestyles
Laissez-Faire Utilitarian (1750–1829)	More Legal and Less Regulatory	Liberal Release of Individual Lifestyles

Civic republican practices like the Statute of Winchester reached their zenith in the 1600s and began to gradually fall to enlightenment philosophies and outlooks. [10] Although the early English embraced the importance of communal civic participation, they came to cherish individual liberties more as time went on, and so the basic quest was to find effective public or civic arrangements that increasingly had a more liberal bend to it all. According to common law, certainly all grown men when needed were called upon to police, but its responsibility came to be a diffusely structured "watch and ward" threesome of the constable and magistrate (i.e., justice of the peace), who again were localized to keep order but were crown backed when it came to enforcing laws. Additionally, the firmly localized night watch teams were the largest police body, and they were responsible for maintaining the king's peace and were supervised by their parish leaders. To get an idea of distribution, there were approximately 4,393 total London metropolitan district police-like functionaries operating in 1828, just on the eve of Peel's new police. The parochial teams made up 82% of this total, whereas the county and city magistrates and constables consisted of 13%. The rest were jurisdictions with private arrangements, 5%.[11] To be shown, this civic republican philosophy grew and became very compatible with mercantilist political economy because it was believed the same civic energies put forth by citizens could be exercised as workers for themselves, their families, and country.

MERCANTILIST POLITICAL ECONOMY AND POLICE: 1600–1829

Mercantilist economic philosophies viewed the worldwide economy as a fixed and zero-sum game.[12] World resources and wealth were believed to be finite, and the goal for a nation was, not surprisingly, to become as wealthy as possible at the expense of other nations.[13] Precious metals made for the most extravagant gains, but the more typical came through earnings from both commercial and agricultural exports. Within mercantilism, both the state and the market worked together to achieve favorable trading balances, and to accomplish this meant acquiring and maintaining a disciplined domestic workforce at least possible cost. Common workers were conditioned mentally to view their efforts as not just gains for themselves and their employer but for the benefit of their country. However, to make this sort of economy excel called for considerable policing but without using the word police. Social policies arose that used the words "security" and "superintendence" and specifically targeted the working classes to keep them productive, especially to get the idle and unproductive up to speed. Policing of this sort had a very paternal style that sought to both

heighten the economy and keep the peace though promoting so called healthy habits and lifestyles of individuals. Philosophically, here is where definitions of liberties are introduced relative to meanings of virtue and vice and what was considered proper law and order.

Mercantilist/Civic Republican Police[14]

Civic-republican-rooted policing philosophy saw that the dominance of vices over virtue and the lack of morals were the root crime and disorder problems, and its advocates wanted to demonstrate that scattered individual difficulties with the law were wider societal ones. However, using the state to directly enforce morals and virtue looked and felt a bit harsh, and a more politically acceptable way was to show how unvirtuous and immoral behavior were affronts to "liberty" and "noxious to the body politic." The use of liberties as a standard was convenient because they covered wider grounds in being able to identify wrongs and enabled one to express them as public problems. The strategy going forward was to use both types of liberties but against each other if needed. The basic idea was that positive liberties for some were to be controlled so that the betterment of negative liberties could be had by all. Beginning in the latter half of the eighteenth century, three leading London metropolitan magistrates strongly subscribed to civic republican virtue and mercantilist beliefs—Henry and John Fielding of the Bow Street Magistrates Office and Patrick Colquhoun of the Worship Street Office. These three were certainly not the only ones concerned, but each advocated structural reforms allowing the magistracy to help reduce individual temptation by promoting virtue over vice. The Fielding brothers, beginning with Henry in 1748, brought modern policing into form by creating England's first detective office, known as the Bow Street Runners, while his brother John continued the Bow Street Magistrates Office and introduced improved foot and horse patrols and Colquhoun, a wealthy merchant turned magistrate and social reformer, became a leading author of *Police of the Metropolis* that went through seven additions by 1806. Although these reformers were appreciative of the civic spirit, each felt its governance should have been left up to specialists like them. Punishment was appropriate when needed but each felt they could develop and operate state structures to reduce one's temptations toward vice. [15]

Famous author turned police magistrate Henry Fielding, in his most recognized police-related work *An Inquiry into the Causes of the Late Increase of Robbers*, published in 1751, was a civic republican supporter of virtue but felt the commons or "lower orders" in metropolitan London were simply

getting too big for their britches while the existing civil power used to control them was too weak and inadequate. In terms of the state, he began by saying that its constitutions were not and should not have been something permanent because they needed to be more flexible when balancing the established laws with the looser "customs, manners, and habits of the people."[16] These together made up "the body politic," and to keep it healthy, Henry felt that more attentive monitoring and supervision [policing] was needed to eliminate matters considered "noxious" to it.[17] Berlin's typology positions Henry the magistrate as a first who sought [unsuccessfully] to control the positive liberties of a certain group to defend the negative liberties of all.

Henry's *Inquiry* was presented in a very cause-and-effect manner, and he offers economic exchange or trade as the basis of problems, not universally but especially of the "lower sorts" who he felt fell into contagiously bad habits.[18] With England becoming more diverse, commercial, and urban, Henry felt vices of the lower orders would overrun needed virtue and discipline and lead not just to further contempt for society and crime but losses of state and Kingdom power. He saw that the prime contagion, via trade, was luxury because it fostered drunkenness, gaming, and all sorts of disorderly and criminal behaviors the lower classes engaged in but who he felt had not the time nor money to make a regular priority. Even worse, he felt this all led to a path of more serious crimes like robbery and murder.[19] However, he acknowledged that vanity and voluptuousness, being the prime motives for luxury, were instead best reserved for the gentry and especially the nobility; pleasure should have been left to people of fashion and fortune.[20] The former were moral problems "of the great" and the latter were ones deserving further policy attention.[21] To remove temptations, he suggested tightening the poor laws especially for the unwilling workers, whose entitlements should have been kept low enough to discourage longer term dependencies and, consequently, ill-productive behaviors.[22] He urged legislators to pass sumptuary laws that curtailed consumption and priced the lower orders out of such leisure.[23] London's growing city space, further population growth, and its densities were worrisome because they included more public houses that served alcohol, tea, and coffee and furthered socialization and possibly trouble. These offerings in addition to gaming, theatres, and fairs made it high time to gain further control of who consumed leisure.[24]

Henry's brother John Fielding took control of the Bow Street Magistrate's Office after the former's death in 1754 and began to redefine the role and importance of police in letters he wrote to the Duke of Newcastle. He started to use the word police in its modern crime-fighting sense, and he felt that so long

as their activities adhered to the "established constitution," they were basically not liberty reducers but its protectors.[25] The detection of crimes, like what his Bow Street officers advanced on, would lead to greater crime prevention and deterrence efforts than what already existed. Still paramount, the ordering and monitoring of artificers, servants, and laborers was the central police objective.[26] Given all of this, John felt the task of policing was on par with fighting great battles and conquering countries because they preserved lives, property, and the peace for the country's thousands.[27] This sort of policing philosophy would continue with Patrick Colquhoun, a wealthy merchant turned metropolitan police magistrate in 1792 who looked back at Henry's decades-earlier efforts with much approval and hoped he wasn't too late to further partake in things.[28] Similar to the Fieldings, he too was convinced that police were an important branch of political economy, and like the Fieldings he too testified about its problematic functions and offered solutions. Over their careers, the Fielding Brothers and Patrick Colquhoun communicated with the highest of Kingdom authorities about reforming police, but their arguments fell mainly on deaf ears. Additionally, the newspapers and the general populace simply would have none of it. Colquhoun, being closer to his death in 1820, admittingly remained bemused about why parliament did not support his policing recommendations and could offer no specific reason.[29] Given this civic republican introduction, this perspective offers greater laissez-faire and further law modernization brought on by utilitarians that weakened older ways and led to more democratic policing orientations.

LAISSEZ-FAIRE, THE INDIVIDUAL, AND UTILITY: 1750–1829

Even up until Peel's new police in 1829, public commentators like Wade still felt, "Idleness and drunkenness were ruinous to the private economy of mechanics and tradesman; while the opulent, however personally degrading, they are comparatively innoxious, on this principle, it may be urged that low gaming ought to be rigorously suppressed."[30] As shown here, civic republican philosophies remained well into the nineteenth century, but differently enlightenment thinkers began to make the case that if happiness was the ultimate end to be reached in life and with successful governing being a part of it, then more individual liberties and freedoms were needed, but they need not be so discriminatory in either the internal or external senses. Virtue in individuals would only grow if more liberties existed. In being the very opposite of earlier times, the best "police" of the human came from positive liberties that simply let people further control their own lives. Additionally, it saw that society did

not come together as a form of social conditional contract but rather a more reciprocal liberty-based pact that would create greater material and wealth, leading to more equitable justice and greater societal happiness. At the time, laissez-faire thinkers valued agricultural contributions but believed commercial and industrial societies would achieve this the fastest. Unlike the earlier mercantilists who saw wealth creation as something finite, the laissez-faire philosophies saw it as infinite. Markets were liberty producers and not reducers, and so rather than restricting them and controlling what people did for their living, laissez-faire went the opposite way. Both production and consumption possessed no limits except for what the market exchange rate was: buyers, sellers, and price were what made society go best. Through a societal-pact emphasis, laissez-faire called for further separation of market from the state, ideally creating more of the former and less of the latter. Berlin's typology sees positive liberties within laissez-faire as not needing state control but rather its avoidance, and as much as possible. When this was pursued, then negative liberties for all were enhanced. However, this liberal orientation did not ignore police but ironically made them a greater and more powerful presence.

Laissez-Faire, Police, and Security

Famous philosophers and political economists Adam Smith and Jeremy Bentham are spotlighted in how they helped lay the groundwork for Peel's police decades later. Smith is of course most recognized as being the "father of economics" and mainly through his authorship of *The Wealth of Nations*, but what is much less known was that he was a policeman for a time in Glasgow as a captain of the city guard.[31] Locating Smith's views on police and justice in a commercial society are found in his definitions of law and government. For matters of law, Smith, according to recorded lectures, spoke of four necessary branches: justice, police, revenue, and arms.[32] In terms governing the sovereign, he mainly saw defense, public works, and justice administration as most deserving taxation and public expenditure.[33] As for the remaining needs, markets and charity could make up the (re)distributional rest. Smith did support a general revenue of "police of a particular town or district," but only if it derived from local sources.[34] However, he felt that the best police and crime preventive measures, if considered abstractly, were economic trade and exchange that created "cheapness and plenty," but any police that protected such exchange rights were of welcoming sorts.[35] Here, further commerce was expected to enhance socialization and affect morals in some cases for the

worse, but if at least equal gains in virtue and economic production like having a job in the expanding division of labor were made and people abstained from crime, such gains would outpace problems.[36] The 1822 committee statement above alluded to this. Ironically, more state-financed, bureaucratic, and professional police began to further mature in the metropolis during laissez-faire times. More horse and foot patrols, additional police constables added at the expense of parish constables, and what would become detective services further expanded.[37] Rather than continue with privately supplied market methods as one might think, more public police methods were the chosen option. A reason offered here is that the meaning of security became further linked with economic exchange but was no longer seen as a liberty threat and instead a compliment, and this would advance alternate outlooks about police.[38] But, it would be the utilitarians who furthered matters to the point of police becoming identified more as law enforcement officers.

Utilitarian philosophy valued the liberal individual and was a firm ally of laissez-faire. Being a liberty protector and not a reducer for the most part, its outlook introduced a more collective aspect, compatible with laissez-faire. Jeremy Bentham is most known for being the leader of the utilitarian philosophy movement, and he collaborated with Colquhoun in legally drafting the Themes River Police Bill, which in 1800 became the ninth independent and collectively financed police body serving metropolitan London. More so as has been discovered, he was a strong advocate of working in the background toward removing older customary layman policing for something more along the lines of Peel's police.[39] But differently, Bentham believed that a *minimalist* state should have been less the focus than a more *effective* and fairer state. Satisfying this meant a government that promoted subsistence, abundance, equality, and security.[40] If a larger state was needed to better facilitate even larger markets and commerce, it was justified because it still achieved "the greatest happiness" for society. Instead of public policy based on tradition, custom, and exclusiveness, utilitarianism sought more standardization and judged publicly run efforts best managed according to majority rule, which, down to the bone, resulted from individual calculations of perceived pleasure over pain. Likewise, police would come to be judged further according to scientific ways by considering time, money, and efforts, and this helped introduce cost/benefit approaches to modern public policy.[41] Clearly, this contrasted with policy creation according to earlier subjective evaluations of what were considered vices and virtues.

Bentham understood police and justice to be used as means to help "avert the most mischief," and this resembled growing thinking, but he began to

work on modernizing law with police unlike no one prior. Crimes against the state like treason and sedition were serious in his mind and deserved what policing was needed. Next came property and personal crimes, and these he felt needed to be rewritten as much as possible from common law and further codified to make justice certain and to give people more knowledge about what to expect: certainty over severity regarding law and punishment as enlightenment thinking went. His basic purpose was to make legal and justice activity more concrete and coded about what one did right or wrong as opposed to something arbitrary involving perceived social status, as centuries of common law exposed. Bentham wanted to make justice and policing less discretionary and more humanly impartial, and this helped clear the way for more democratic approaches down the road. Centrally, utilitarians emphasized that policing was no longer a broad definition of government and state power, nor should it have been military involved, but most of all it should have emphasized prevention over punishment. In advancing this, Bentham distinguished before and after-the-fact policing as the former being preventive measures and the latter being one of justice, like that of law enforcement but with no clear-cut division between both.[42] Although forward thinking, he was not always philosophically consistent. Bentham was still stuck a bit in the past, especially when policing the poor, and this was not more democratically infused. Like Colquhoun, he felt government was still allowed to control the positive liberties of a few to help secure the negative liberties of all, and this ran contrary to the basic goals of government as being providers of security and equality. Shown further then, equality did not mean equal distribution or a given right toward things. Nevertheless, Bentham did come to appreciate more democratic approaches toward governing in his later years, but it would be Peel who brought police into its more civic democratic phases.

PEEL AND POLICE: TOWARD A CIVIC DEMOCRATIC POLICE

Sir Robert Peel is far more accomplished than just being a modern police innovator. But in sticking with the subject, he was the first to move English policing toward a more civic democratic model mainly because of faults beginning with the centuries of the civic republican era as presented. Policing under Peel moved further away from the layman and constable and further toward the specialist: the law enforcer. Like the magistrates of earlier systems, he fundamentally believed policing should be preventive and that it was still positioned to be a liberty protector as opposed to a reducer. But with some conflicts about democracy generally, he made policing more democratic.

Overall, Peel did not support a "democratic republic" for England but realized that with the further rise of the commons, there would be challenges to confront.[43] In adding to this, Peel was not in favor of universal suffrage either.[44] Nonetheless, he felt that if the future of the administrative state was to advance, it had to move away from hierarchy, tradition, and exclusiveness and more toward community and its problems at hand. Offering a system of speedy, impartial, and inexpensive justice was importantly needed.[45] The Peelian police would remain localized with distant national oversight, but instead of consisting of assigned layman, such newer police would come to operate on qualification and be recognized further as law enforcers. As a composition, this approach fit the laissez-faire tendency toward labor specialization, and it would satisfy the utilitarian concerns of logical law by offering a more merit-based and accountable public service.

What Peel did from a liberty-provision standpoint was to further erode the argument for the enforcement of positive liberties for some to save the negative liberties of all by removing the antiquated and Napoleonic War-era statutes that he felt infringed too much on the country's subjects. To make London's modern public police come further to the fore, from 1822 until 1827, he consolidated the criminal law and repealed more than 250 outdated laws through eight legislative acts.[46] In going about this, parish constable "presentments" at quarter sessions were removed in 1827, and this meant no longer were they required to periodically report popish recusants, drunks, vagabonds, and other ill parish activity to such courts.[47] Peel felt these were surveillance sorts of policing that, especially because the wars with the French were over, were further unnecessary. Morality policing on part of the state, covering both positive and negative liberties, was to be further removed.

CONCLUSION: CIVIC TYPES OF ENGLISH POLICE

Policing is often framed as a technical and legal matter, especially when it involves detection and apprehension, largely because these make for good stories and catchy news, but much less so when considering crime prevention. However, as conventional thinking goes, more prevention could further reduce the need to detect and apprehend in the first place, but attention and resources have not flowed the same way. A way around this while keeping things legal entailed considering crime prevention through the granting of political liberties within a civic environment. By offering such a perspective, the basic theoretical finding is that English and what would become Anglo American police have always been "civic," but policing was practiced

Matrix 2. Anglo-American Police and Liberty Matrix over Time

Period	Economy	Police Style	Positive Liberties-Individual	Negative Liberties-State
1600–1750	Mercantilism	Civic Republican	Restricted	Guarded State
1750–1829	Laissez-Faire Utilitarianism	Less Civic Republican	Less Restricted	Minimal State
1829–Beyond		More Civic Democratic	Opened Further	More Inclusive State

differently according to differing definitions and arrangements of given political liberties over time (Matrix 2). Political states or territories use means like a military to protect from foreign interferences, and this fits well with the negative liberty concept overall, but they do have domestic protective duties involving both police and justice of more positive liberties. Berlin cautioned that positive and negative liberties often conflicted with each other in both theory and practice, and this was found to be the case when looking at police with civic purposes over time. Anglo American policing began with civic *republican* orientations and moved toward more civic *democratic* ones over the course of 300 years. During this period, economic exchange coupled with negative and positive liberties helped the parish constable turn into the law enforcer. The utilitarians were an addition to laissez-faire, but they were more concerned with an effective state than just its size and sought to advance preventive policing with more logical forms and scientific means of law and administration. Overall, Peel's police would further reduce a long history of discriminatory positive liberty enforcements and make policing even more legal and democratic as a law-enforcement system.

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NOTES

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